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# **THE POLITICS OF A COMPANY TOWN**

## **A Case Study of Eket and Ibeno, Akwa Ibom State**

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# THE POLITICS OF A COMPANY TOWN: A CASE STUDY OF EKET AND IBENO, AKWA IBOM STATE

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## INTRODUCTION

“Before the 1993 crisis, there was no conflict(s) with anyone, on group, not even Eket. We were able to manage our lives from the sea. The coming of Mobil is a problem to the Ibeno people; its the oil and claim of ownership of land that caused the problem, so, Mobil contributed in their own way to the problem by taking away our fishing life”.

Chief Okon Nepa, Ibeno

Akwa Ibom is one of Nigeria’s major oil producing states. It covers 6806 sq kilometers and is constituted by 31 Local Government Area (or Councils, popularly known as LGAs or LGCs). It had a with a population of 3.34 million in 2005. The state currently accounts for roughly 20% of Nigeria oil output (in 2004 the state received almost N7 billion per month as part of its statutory allocation from the Federation Account) and is home to some of the most important oil infrastructure in the Niger Delta outside of Warri and Port Harcourt. Eket town is a major oil city in Akwa Ibom and has grown rapidly along with the oil industry. Like other states within the Niger delta, Akwa Ibom is ethnically heterogeneous and encompasses a number of so-called minorities. This case study addresses conflicts *within* an ethnic group among peoples – the Eket and Ibeno peoples – who share much in common in cultural, linguistic and social terms. The case study explores the transformative effect of oil operations in their territories and the fractures and divisions that erupted among communities which hitherto had a relatively stable history of coexistence. The case turns on growing hostilities between the communities in the 1990s that came to a crisis in 1993. In the early months of that year a number of incidents occurred in which communities were raised, people displaced, propertied looted, and individuals harmed and in some cases killed. There has been no

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<sup>1</sup> The author wishes to thank the following people for their assistance: Mr. Emma Mbong, Chief Umuoetek A. Umuoetek, chief Sunday Akpamawong (alias “Okon Nepa”), Chief Edet Ndareke and Engineer NsikakAbasi Udo. Fieldwork was conducted between May/June, 2004. Editorial and other assistance was provided by Michael Watts.

full inventory of casualties but our studies estimates that over 100 people were killed and several thousand were displaced; a large number of villages were the sites of community violence. While a government commission to assess the causes and costs of the 1993 crisis was convened and submitted a report during the early years of the Abacha administration, it has not been formally released and none of its findings have been made public.

There are several aspects to the Eket-Ibena case that make it interesting and complex at the same time. First, up until the 1990's the communities had co-resided in a relatively peaceful and harmonious manner. While a number of land disputes have been recorded dating back at least to the early colonial period, there is no history of inter-community animosity or violence. Second, the growth of the oil industry in the region had a transformative effect on both communities (albeit in different ways) but the presence of played itself out through largely through the politics of local government area (LGA/LGC) delineation. Central to the question of LGA establishment is of course territory as a means – or a precondition - of providing access to statutory oil revenues allocated through the Nigerian revenue allocation process. In this case however the struggle to establish new LGA/LGC was shaped by state level politics and local level contracting which had the net effect of destabilizing relations between the Ibena and Eket communities. Third, the politics of LGA/LGC delineation or of contracting or of access to rents derived from oil installations all turn on the legitimacy of particular land claims and land titles. These claims often pit ethnic and minority communities against one another – often aided and abetted both by the operations of the oil companies and by non-local (state level) political dynamics.

This case study, in other words, speaks to the contested history of settlement, territory and customary authority in the context of partial written records (most of which was produced by colonial authorities) and unstable and contested oral histories of differing communities that are themselves shaped by the complex forces associated with slavery, colonial occupation and displacements and the transition from on oil economy to another (from palm oil to petroleum). Who, in short, are indigenes? Who were the first settlers and in whom did territorial authority reside?<sup>2</sup> And how are different accounts of settlement or land ownership to be adjudicated in the context of valuable local resources or investments by oil companies? Who represents the autochthonous community?

## **THE EKET AND IBENO PEOPLES: CONTESTED HISTORIES AND TERRITORIES**

The Eket people of the central coastal region of Ibibia country in the present Akwa Ibom State of Nigeria form the so-called 'Southern Ibibia'. They reside inland and to the northeast of Ibena (also known as Ibuna), separated from the Atlantic Ocean by a

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<sup>2</sup> See for example Mamood Mamdani, *Citizen or Subject?* Princeton University Press 1995; Sara Berry, *Chiefs Know their Boundaries*, Heinemann, 2000 and *No Condition is Permanent*, University of Wisconsin Press, 1993; see also M. Watts, *The Sinister Political Life of the Community, Economies of Violence*, Working Paper # 3, 2005.

swamp region. Traditionally a fishing community, Eket people also make mats, cut timbers, hunt and set traps for animals, and cultivate cash crops and palm trees and increasing larger numbers of part of the state and modern service sectors. There is considerable controversy over the origin and migrations of the Eket people: while some of them accept that they are of Ibibio origin, others claim that they are a distinct and independent people based on tonal differences between the Eket dialect and the language of the central Ibibio peoples. The quite differing accounts of community history – and their implications for territorial control – operate in the context of a largely undocumented historical record and considerable legal and customary ambiguity over land and related claims. These contested histories strike to the heart of the Eket case.

The Ibeno people on the other hand reside along the lower stretches of the Qua-Iboe river along the Atlantic coast of Akwa Ibom State, and within 10 miles of the terminal of the multi-national oil company Exxon Mobil.<sup>3</sup> Ibeno is a sizeable community of roughly (a hundred to a hundred and fifty thousand) people. The present Ibeno LGA is said to have about twenty-seven large villages (a claim contested by the Eket people) with a territory of about 110 km east-to-west and three km south-to-north. It is bounded by Esit- Eket LGA in the east, Eastern Obolo LGA on the west and Eket LGA on the North.

The environment of Ibeno is estuarine and deltaic. The Imo, AndonI, Opobo and Bonny rivers to the west represent a complex labyrinth of creeks and waterways. These creeks together with the main river are flanked with mangroves that extend as far inland as water is carried by the tide. The presence of salinity renders the mangrove swamps unsuitable for agriculture and in many places is unsuited for burial as well since the water table is found just below the surface. The Ibeno people admit that whereas Eket possesses plenty of land, they are land-short. As a youth leader and prominent indigene of the community, Chief Sunday (Okon) Akpamowong (popularly called “OkonNepa”) puts it, “we do not have enough land; it’s so small that we cannot cultivate”. The soil in Ibeno is alluvial and much of the immediate ecosystem is marshy. Along its shores, however, there are more than thirty kilometers of firm and clean white-sand beaches which offer hours of untroubled solitude and serenity (and undeveloped tourist potential). According to Okon Nepa:

The entire coastal line of Akwa Ibom State that has white sand is Ibeno; the rest of the beaches you find have muddy seashore; it’s only Ibeno that has the white sand. The beach has become a luxury; after Eket realized the usefulness of beach, they fought by all means to eliminate those who live at the beach. They claimed that from Eket to the seashore is owned by them; we resisted and fought them.

The Ibeno are traditionally fishing people. Along the miles of sandy coastline, locals can be seen carrying loads of neatly-stacked dried fish as well as fresh fish which

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<sup>3</sup> Exxon Mobil trades in Nigeria under the name Mobil Producing Nigeria Unlimited (MPNU); despite the merger with Exxon, it is still popularly know and referred to in Nigeria as Mobil.

they trade with Eket and the Ibibio mainland. The scarcity of cultivable land demands that the Ibeno turn to the sea in order to survive. Ibeno waters, it is said, abounds in crayfish, bunger fish and other marine life. While locals hunt and exchange their fish and game for the farm products, most staples and other basic commodities have to be imported from elsewhere.

The Ibeno people seem to know little of their history, settlement and migratory patterns, as most respondents are quick to admit.<sup>4</sup> However, published literature provides some insight into the history and emergence of the Ibeno people. The Ibeno people are purportedly immigrants who came to the Eket region from Andoni around 1876. This was a consequence of the slaving activities of King Jaja of Opobo, who launched his incursions into Andoni territory in the 1870s. This offensive led to the massive exodus of the Andoni people and their neighbours who sought refuge elsewhere - an historical claim buttressed by the work of P. E. Hair, who stated in his 1932 study of Eket, “the people of Ibeno could not survive in Andoni because of the slave drive in which King Jaja of Opobo played a major role”.<sup>5</sup>

P.A. Talbot, who conducted extensive work in southern Nigeria, reported in his book *Life in Southern Nigeria* that “along the lower reaches live the Ibeno people who according to tradition came to this part from Andoni”.<sup>6</sup> Talbot states that the Ibeno are recent settlers in Eket land to which they came to escape the persecution of the Bonny Kings about 200 years ago. The Eket chiefs demanded an elephant tusk from them as a token rent for the land they were provided by customary authorities (the local Eket Chiefs) to live on.<sup>7</sup> The Ibeno people, conversely, insist that they are a distinct and independent people with a long history of separate territorial residence and control in the area. According to one village head: “Ibeno is a distinct community; we have been in existence from time immemorial. The Qua Ibone mission started from this village...around the 1880s. The white man came here around 1871 by which time Ibeno was already in existence”. A youth leader, popularly called “Okon Nepa”, who is also a titled chief in the Ibeno community, corroborates this historical narrative:

We are not Eket, we are different and distinct and have our distinct language which has affiliation with that of Calabar people. We don't speak Eket, Oron, Ibibio or Annang...On record, Sir S. Ebio, the founder of Qua Iboe church first landed in Ibeno around 1807. Ibeno had existed long before then, even before King Jaja war. History has it that civilization started from the reverie areas/coastal regions of Africa and then spread to the hinterland; it was a centre of luxury for wealth acquired from the

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<sup>4</sup> Even one of the village heads claimed not to know the history of Ibeno, but rather referred me to the clan head, one Chief (Barrister) A. M. Ukot, who was said to be critically ill at the time I visited the community and could not be interviewed.

<sup>5</sup> Memorandum submitted by Esit-Urua community (Eket people) in Lagos to the Justice Ephraim Akpata commission of Inquiry into the Ibeno and Eket dispute of 1993 and made available to the author.

<sup>6</sup> O. A. Talbot, *Life in Southern Nigeria* (London: Frank Cass Lmt, 1923), pp. 282-87.

<sup>7</sup> Talbot, p. 287; Edet A. Udo, *Who Are the Ibibio* (Onitsha, Nigeria: Africana-FEP Publishers Ltd, 1983), p. 74-6.

seacoast. Any riverine community naturally is older than the hinterland. So, Ibeno had existed from time immemorial in history.

At the heart of the Eket story, in other words, is a crisis that is at once instantly recognizable not only across the multi-ethnic Niger Delta (an area of perhaps 75,000 sq. kms with a population of perhaps 20 millions in the delta states constituted by 50-60 different 'minorities' or ethnic groups) but to much of Nigeria as a whole. It turns on the politics of original settlement and land, systems of customary authority as a basis for making claims over resources of various sorts, and the ways in which highly contested customary law and indigenous histories are to be adjudicated.

## **THE COMPLEXITIES OF LOCAL GOVERNMENT AUTHORITY**

What is today Eket town in Eket Local Government Authority (LGA) is said to be one of the oldest Administrative Headquarters, dating from the early colonial period. According to Chief Umuoetek A. Umuoetek, a prominent and revered Eket leader (who at some point in time was Secretary of Eket LGA and is presently a member of one of Akwa Ibom State's Commissions), "What is today the Eket Senatorial District or Akwa Ibom South District was administered from Eket in the colonial days". When the South Eastern State was created in 1967, there were about fourteen divisions, of which Eket was one; Eket division extended as far as what is now called the disputed Bakassi peninsula, which was administered from Eket even up to the creation of the South Eastern State. This, Chief Umuoetek argues, "naturally leads to something which is sentimental; all the LGAs which were created out of Eket division have a near-hostile feeling towards Eket people which is the mother Local Government Area. This is natural; such people felt they were oppressed (thought they may not be lucid and eloquent about it) even though the Eket people were not directly in charge of manning power at the time." It was in the process of creating new LGAs or restructuring the old ones, according to Chief Umuoetek, that eleven LGAs were carved out of the original Eket division. Akwa Ibom state was created in 1987. Prior to the state creation exercise in 1987, Eket was one of the already existing ten LGAs.

Present day Eket LGA is said to be made up of seventy-one villages, including Effoi, Nditia and Esit Urua, which are the villages sharing a common boundary with the neighboring Uquo Ibeno LGA. Every inch of land belonging to the seventy-one villages of Eket LGA is said to be administered by the Eket LGA and residents on such land are subject to the local government's control and protection as provided by law. Eket LGA also shares boundaries with Onna LGA and Nsit-Ubium LGA.

Eket LGA was split up in 1989 (two years after Akwa Ibom State was created) into three LGAs: Onna LGA with headquarters at Abat; Uquo Ibeno with headquarters at Uquo; and what was left of Eket, which was called the "re-constituted Eket LGA". Around 1995, Uquo Ibeno LGA was itself divided into two other LGAs: Esit-Eket, with headquarters at Uquo, and Ibeno LGA, with headquarters at Upenekang (Ubenekang). Since 1987 in other words, the former Eket LGA is now constituted by four LGAs: Eket,

Onna, Esit-Eket and Ibeno<sup>8</sup>, which are considered to be the four core producing areas for Mobil, and also constitute the Eket Federal Constituency in Akwa Ibom State (House of Representatives constituency), now represented by one Chief (Hon.) Nduese Essien, an Eket indigene. The picture, in short, is of a massive splintering of political units and of a multiplication of LGAs against a larger backdrop of the redrawing of State boundaries.

Eket LGA has a special historical and traditional relationship with Uquo Ibeno LGA which is said to be made up of two distinct communities, namely the Uquo community and Ibeno community. The Uquo are customarily seen as Eket speaking people of the same ancestral stock and pedigree as the Eket people of Eket LGA. According to a youth leader<sup>9</sup> interviewed in 2004, “we speak the same language, worship the same ancestral gods, have a common heritage and own the same communal land”. The Eket unequivocally express the view that they have always lived at peace with their neighbors and have demonstrated respect for the sanctity of their neighbours’ property and personal freedoms. Until recently, when conflict broke out between them and the Ibeno people, there had been no recent (or documented) history dispute or disturbances between them and their neighbours in Onna and Nsit Ubium, Oron, Mbo, Okobo, Urue effong Oruko, all of which were as one time or the other component parts of Eket LGA.

## **THE COMING OF OIL AND LOCAL POLITICAL ECONOMY**

“Everywhere in the world where you have oil, everyone wants to claim it all alone...People want to buy chieftaincy with money. Money does not make you a chief...Everyone wants to be a leader, people fight for leadership. If God does not give you, you cannot lead; the problem in all oil communities is leadership. The youths resist any bad leader and want to be leaders to themselves, but if you have good leadership, there won’t be any problem”

Ibeno village head.

Oil operations in and around Eket dates back to the late 1960s. Mobil is a key operator in the state and is present in the four LGAs that make up the company’s area of operation. The four LGAs are independent of each other, but share the common feature of being “host” to Mobil. The effect of both oil production and processing in the region has been dramatic in a number of ways. The first is population growth and in migration associated with the oil industry, government services and state-led development. Expansion and demographic growth has been especially rapid since the 1960s and during the boom years of the 1970s. Eket town is now estimated to be over 250,000 (the whole of Eket LGA was estimated to be only 80,000 in the 1991 census). While estimates for the Ibeno community are not available local opinion confirms that

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<sup>8</sup> In light of their historical and ancestral relationships (excluding, as I shall document, the case of Ibeno), Onna, Esit-Eket and Eket are said to be of the ‘same stock’.

<sup>9</sup> The youth leader requested anonymity in the interview conducted in Eket in June 2004.

there has been a substantial influx of people. Second, the oil infrastructure has had a dramatic effect on community life and the environment. Eket indigenes, for example, emphasize that while pipelines do not run through any of their (delete four) communities but gas flaring is widespread. There are also a large number of reported and unreported cases of oil spills. A major oil spill occurred in 1998 (spreading as far as Ogoni areas, Rivers and Bayelsa States and even to Lagos) and others serious spill incidents occurred in 2003 and 2004. Among the Ibenos, pipelines do not run through their communities but the effects of flaring and spills have detrimentally effected fishing livelihoods compelling fisherman to venture further offshore.<sup>10</sup> The third consequence pertains to the assignation of ‘host community’ status for some villages and the employment and other benefits associated with the Memoranda of Understanding (MOU) between the companies and the communities. An employment ratio (signed as part of a 1998 MOU<sup>11</sup>) was fashioned by which a certain proportion of all employment opportunities were to be assigned to the four core LGAs. The ratio - Ibeno 30% , Eket 26%, Esit Eket 24% and Onna 20% - was determined in large measure in relation to the estimated environmental harms felt by the differing four LGAs (Ibeno was considered to be more profoundly effected as a consequence of the Qua Iboe terminal siting within its borders).

Inspite of these general patterns of oil impact, the experiences of the Ibeno and Eket communities were in practice markedly in contrast. Among the Ibeno a village head put the matter bluntly: “the presence of Mobil here makes this place what you are seeing now”<sup>12</sup>. Mobil built the road from Eket to Ibeno – the QIT Road – also provided Ibeno with a good road network, free uninterrupted electricity, and free water. At the time of our research in 2004, Mobil is putting up a new water transformer. In addition, there is also a health centre built by Mobil in 1983 (later handed over to the Akwa Ibom State Government) and a resident doctor (an indigene of Ibeno) as well as nurses and other staff in attendance (their salaries are paid by the State Government<sup>13</sup>. In sum, Ibeno has been the recipient of substantial social and infrastructural investments – exclusive of other contract work and cash payments made to host communities – on the part of Mobil and this has contributed to a widespread sentiment that the Ibenos have “done well” from the oil business.

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<sup>10</sup> Chief Okon Nepa corroborates these views: “Mobil contributed in their own way to the problem by taking away our fishing life without compensation. There was no crisis before now; we were able to manage our lives from the sea. The coming of Mobil is a problem to the Ibeno people; now you go deep down into the Cameroon to fish; before now we were using hand pulling canoes; now you need flying boats and modern equipments/nets”.

<sup>11</sup> There is some ambiguity over whether this MOU pertains to service companies or to Mobil. There is a general sense among host communities, however, however that the details of the MOU need to be revisited.

<sup>12</sup> For the Ibeno, their relationship with Mobil is simply described as “one founded on dialogue; cordial, not strained” according to a Chief of one of the Ibeno villages. He insisted that “we dialogue with [Mobil] on anything we need; you must ask before you can get; we persuade them, we are not violent, but we can if we want to. We were not brought up like that”.

<sup>13</sup> There is also a technical college, Ibeno Technical Grammar School, two Secondary Schools in Ibeno, and NDDC is currently building a road to link Ibeno to Eastern Obolo up to Ikot Abasi, while the State Government is said to be building a college of Technology at Ataprika (Ibeno)

For the Eket, the story is a marked contrast. Chief Umuotek puts the matter starkly: “there had been very little development”. Mobil in more than thirty years of operation in what was formerly its main area of operation until they moved to Bonny for the LNG development, only contributed to the physical development of the area for five years (i.e. between 1996-2000). The investments that did occur were largely due to the efforts of Mr. Isong Akpabio, Mobil Public Affairs manager between 1989-98, who persuaded Mobil to embark on the physical development of and ensured that Mobil lived up to its corporate social responsibilities in Eket. Some of the infrastructure provided during this period included electricity to Esit Urua, water (via borehole) to a very few communities, hospitals and hospital equipment to some wards and a patchy record of road rehabilitation. This seeming neglect deeply colored the relationship between Mobil and Eket which has been strained and tense for a long time. It was only during the brief period under Isong Akpabio’s leadership that, as one village head put it, “Eket people cancel conveniently say Mobil was theirs.”

## **EXXONMOBIL AND THE LAND POLITICS OF THE QUA IBOE TERMINAL**

“It was only in 1990 when the QIT road was to be constructed that the conflict became open. The misunderstanding/hostility before (now) was mild and not grave; so much that the Ibeno people that were wounded were brought to and treated at Immanuel Hospital, Eket”.

Chief Umuotek, Eket

Ibeno is the site of what is today known as the Qua Iboe Terminal (QIT) owned and operated by Exxon Mobil. The landscape surrounding Ibeno is dominated by oil operations of various sorts (including seismic work and exploration activities) which has brought large numbers of migrant workers, both of Nigerian origin and expatriates, into the Ibeno ‘homeland’. Until recently, and before the advent of Mobil in the area, states Chief Umuotek, “QIT was a virgin territory exploited exclusively by the Eket people. However, Mobil since the 1990s has embarked on expansive developments which have made the area attractive and a place to be fought for”. Against this background of large scale oil infrastructural development, there was a violent clash in 1993 between the Eket and Ibeno people, principally over who is the landlord or proper host community to Mobil. As in many other communities in the Niger delta, the value of recognition as a ‘host community’ or landlord to an oil company turns on the opportunities it offers for profiting from the company’s operations on the host communities’ land.

The Eket people, however, allege that the Qua Iboe area was originally exploited by them. The forest had elephants and the forest reserve was referred to as “Oko-Iyak” in Eket, a term which Chief Umuotek says is peculiar to the Eket language (the word in its literal translation means a place where fishing is conducted (an indication that the area of the present QIT site was a fishing settlement). According to Chief Umuotek, the Eket people named the place Oko-Iyak because they (the Eket people) built temporary huts

there and made mats while fishing in the Atlantic ocean. After two or three weeks stay at Oko-Iyak they would return home to Eket and then return again to fish, make mats and cut timber, set traps and hunt for animals at Oko-Iyak.

The QIT area is a major base for Mobil's operations, and tension between Eket and Ibeno have continued to intensify, driven by the intense competition for benefits derivable from Mobil. As is common with other host communities in the delta region of Nigeria, Eket, Esit Eket and Onna people (three of the four LGA areas in which Mobil is active) believe that they have not benefited sufficiently from the oil production activities conducted within their jurisdictions. They claim that Mobil favors one ethnic community (the Ibeno people) in their distribution of rents, contracts and largesse rather than the other three LGAs. The Ibenos admit to having benefited immensely from Mobil's provision of social infrastructure: a well laid-out road network, free water and free electricity. However they are quick to point out that the allegations made by Eket are false and are in large measure an expression of jealousy and envy. Eket, according to Ibeno, simply suffer from appetities that cannot be satisfied. According to Chief Okon Nepa of Ibeno:

We are marginalized as a people; there is politics of marginalization and winner takes all. We are not recognized or considered in decision- making in the state. We are cheated and put out of the mainstream. The Ibibio claim to be the owners of Akwa Ibom State; then the second largest are the Annang; then the Oron people. We were denied opportunities even in the NDDC. This underscores the alleged marginalization) but one Engineer Ukot is a director on the Board of NDDC presently and is in charge of budget. We are a local government but nothing is done here. The little you see here is from Mobil.

It is evident that the conflicts between Eket and Ibeno turn on the struggle over land ownership. Both sides accept and acknowledge the centrality of land claims in relation to oil operations, but there the commonalities diverge. According to Chief Okon Nepa:

The 1993 conflict with Eket people was mainly due to land. Ibeno people are fishermen, we don't farm. The sea is very wide, but we don't stop other tribes from fishing. We do not have enough land; it's so small that we can't cultivate. When Mobil had not come, attention was not focused here because nothing was there to attract anyone so, in 1993, Eket people decided to develop a kind of monopoly; they focused attention on selling their traditional heritage land [e.g. where the Mobil housing Estate is built in Eket]. Here we don't sell land to non-indigenes, so, after selling their lands, they wanted to come and take ours and we said no. They claimed our land was theirs.

A village head of one Ibeno village, who prefers to remain anonymous, supports the views of Chief Okon Nepa when he states:

Eket cannot claim to own the land on which Mobil is. The colonial government created forest reserves. We have forest reserves here to protect wildlife and nature. The land belongs to Ibeno people from time immemorial... We were in the same Local Government Area with them, so they were claiming all the land even the one on which we are. We share boundary with them, but that does not mean they own the land. No one has a right to claim fishing rights exclusively. Eket people were claiming our land and fishing rights. It was because of Mobil's presence. There was a disagreement as a result; we had to protect our land by standing by it and we succeeded in doing so.

The Eket concede that the coming of Mobil and land ownership were the chief and immediate causes of the 1993 conflict between them and the Ibeno people. Mobil came into Nigeria around the 1968 operating at that time from Lagos and Equatorial Guinea. It is alleged that late Brigadier General U. J. Usuene, an Eket man and 1<sup>st</sup> Military Governor of the South Eastern State between 1967-75, brought Mobil to Eket. Mobil's growing presence was actually quite visible in the Eket area from late 1969. Upon arrival they leased and occupied a small building in Eket which is still there to this day. According to Chief Umuotek, "with the coming of Mobil in Eket, ownership of land around the QIT became an important issue. The Ibeno people with the influence of a former Attorney General of the old Cross River State, Barrister A. M. Ukot<sup>14</sup>, attempted to make Mobil sign an agreement with Ibeno people as owners of the forest which hitherto was exclusively owned, exploited and possessed by the Eket".

The land question was in fact already a matter of dispute in the area, predating Nigeria's Independence in 1960. Prior to the advent of Mobil in the Eket region, there had been alleged instances of a legal battle for territorial expansion by three Ibeno villages (Mkpanak, Upenekang and Iwoachang) which led to court cases. Mention is specifically made of a court case instituted in 1916 at the Supreme Court sitting in Calabar which ended at the Privy Council, the highest court of the land at the time. The case first decided by the Honorable Mr. Justice A. F. C. Webber is requoted in three Nigeria law reports. The pronouncement of the judge in that case categorically defines the territorial claims of Ukenekang, Mkpanak and Iwoachang (Ibena) people as far back as 1916. The plaintiffs in these cases are said to have fought to exclude the first defendants (Upnekang) from occupation of the seashore and the adjacent swamp land and urged the court to grant Mkpanak a declaration of title to the land and damages for trespass. The judgment was delivered against the plaintiffs and the action dismissed with costs. Ownership of the swamps was accordingly granted to the Ekets (the 2<sup>nd</sup> defendant in the case). Part of the judgment of Justice Webber reads thus: "There has not been in my finding of the facts in respect of the seashore any such exclusive occupation by the plaintiffs, apart, of course from the fact they have not established such evidence of long possession as would entitle them to claim ownership of the soil...the plaintiffs on the

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<sup>14</sup> Barrister A. M. Ukot is an Ibena indigene and the current paramount ruler of the Ibena clan. He served as Attorney General to the government of Chief U. J. Usuene. He was said to be very ill at the time of my visit to Ibena and could not be interviewed.

evidence, have failed to establish their ownership of the swamp” (Nigeria Law Reports, #3, page10, Memorandum submitted to the Justice Akpata commission of Inquiry by the Esit Urua (Eket) people in Lagos. The Ekets (the 2<sup>nd</sup> defendants) were granted the following:

They will be allowed to fish in the swamps know as Oko-iyak, which extend to the seashore...and as to the seashore, no exclusive ownership has been proved by anyone, and the Upenekang will be permitted to enjoy the use of the seashore in common with the other Ibenos for erecting temporary huts for the purpose of fishing in the sea.

The court held that Eket people were indeed the owners of the land in dispute, but because they never made any counter claim,a declaration to that effect would have been improper.

The litigation between Eket and Ibeno over land continued, but both sides maintained a largely peaceful co-existence. Legal action certainly did not result in hostilities. Subsequent frequent litigation between Upenekang (Ibeno) and Esit Urua (Eket) - particularly following illegal incursions into the territory of the latter by the former – nevertheless became a major source of concern to the colonial administration. About 1951, the British District Officer for Eket, Mr. Cobb, intervened by mandating an Arbitration Committee to negotiate a boundary for Ibeno with the Esit Urua people. Determined to sustain co-operation with Ibeno people, Esit Urua people apparently acquiesced to the demands of the District Officer. A large expanse of land stretching on both sides of Eket-Ibeno road is said to have been excised from Eket territory and granted to the Ibeno. Traditional boundary trees (called Okono in Eket) were used to demarcate the boundary. It is stated that to further cement inter-community harmony and to permanently resolve these boundary disputes, Afaha market was established later at the boundary with Iwoachang in Ibeno – to further, in short, cement the peace achieved by bringing people of both sides to trade together.

Eket people argue that Ibeno respected this boundary (so set) until the Nigeria’s independence in 1960. Thereafter, Upenekang people of Urua territory in their determination to occupy as much of the adjoining land by force initiated incursions on to the land. Esit Urua people acting on behalf of themselves and the Eket in general in response opened a civil action.<sup>15</sup> The case lasted for about nine years and judgment was finally delivered on 17<sup>th</sup> November, 1980, dismissing the claims of Esit Urua. On appeal the decision of the High Court was set aside by the Court of Appeal, Enugu, and a re-trial of the case ordered.<sup>16</sup> As is characteristic of many of these intractable and difficult land disputes, the legal system operated to promote indecision.

## **LOCAL POLITICS AND COMMUNITY CONFLICT: THE CRISIS IN THE 1990s**

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<sup>15</sup> Suit No. C/43/71 at the Calabar High Court in 1971.

<sup>16</sup> The re-trial order means that the High court judgment was of no effect. Irked by the decision, Ibeno people further increased the tempo of their campaign of harassment against the Esit Urua(Eket) people

Though the presence of Mobil in the area and the struggle for land ownership and territorial expansion provided the proximate cause of the conflict between Eket and Ibeno, the situation was compounded by pre-existing political tensions turning in part on LGA and ward level disputes (and here there is a parallel with the Warri case: see Working Paper #8 ) but also on what one might call “local contract politics” predating the 1993 crisis, specifically the construction of Esit Urua-Terminal road. Sometime around January 1990, Mobil awarded a contract for the construction of a road to link the QIT (its operational base). Officials of the construction company (Reynolds Construction Co.) hired Esit Urua people on local land to dig up laterite for the construction work from farmland on which had crops yet to be harvested. Ubenekang and Iwuachang (Ibena) residents also felt that their economic interests could be threatened as traffic to QIT might eventually be diverted from their jetty (which until the construction of the road used to be the route to Ibena and the QIT site). The communities decided to disrupt the project by blocking the contractor’s access to the laterite site (provided to Reynolds Construction by Esit Eket) pit and requested compensation for the laterite they were taking. Consequently, an alternative site was not given to the company for the same purpose of getting laterite. One Mr. Christopher Etti, an indigene of Esit Urua, appointed night watchman at the new borrow pit, was attacked on his way back from work on the morning of Sunday, February 11, 1990. Mr. Etti was brutally assaulted and stabbed several times. The case was accordingly reported at Eket police station and though the culprits were identified, no arrests were made and no charges brought.

Thaesame day (February 11<sup>th</sup> 1990), Ibena people allegedly went to a farming area of Esit Urua known as Ariba and razed about thirty farm houses. The mob entered the village fully aware that a number of the villagers would be in church for their Sunday worship, and began another round of arson and looting. An alarm was raised in the village and church services ended abruptly as people came out to resist the aggressors. Three persons, Godwin Robson Akpe, Pete Assam and Eno Okon among several others, were reportedly ambushed and severely brutalized. Godwin Osagie Abbe (military Governor of Akwa Ibom State and then an Army colonel) and the military Governor of the state is reported to have visited the scene of the attacks the next day and constituted a judicial commission of inquiry to look into the matter. The commission, unfortunately, abruptly stopped its proceedings after sitting briefly.

Against this backdrop of contract and land disputes, the deepening of tensions between Eket and Ibena communities was prompted by a dispute over ‘ownership’ of the “Ine Development Area” (or Ward). Until 1996 when the Ibena LGA was created, Ibena was part of Eket LGA and had three electoral wards, each represented by a councilor. The Ine Development Area (IDA) was administered as a development ward in the Eket LGA. In the late 1980s, the IDA was represented by a certain Tom Eyo, an Esit Eket man from Eket LGA. Ine Development Area (Ward) - said to be contiguous with the area known as Esit Eket - came to be the source of controversy. The crisis began when the Ibena attempted to lay claim to the IDA as their ward. According to reports, sometime in January, 1993 during the political parties membership registration exercise, the electoral officer in Uquo Ibena LGA altered the delineation of Ine ward to Ibena ward four

without any consultation with the appropriate authorities either in Nigerian Electoral Commission [NEC] Headquarters, Uyo or the Uquo Ibeno Local Government headquarters. The electoral officer is also said to have moved the registration centre from OKPOSO 1 (in Ine Ward) to Mkpanak - which is located in a completely different ward - and thereby gave Ibeno (Mkpanak) two registration centres. The residents of Ine ward saw the removal of the registration centre from their ward as a deliberate attempt on the part of NEC, then under the undue influence of Ibeno politicians and chieftains, to deny them access to registration and membership of the political parties; in effect to disenfranchise the Eket. The people of Ine ward registered a protest with the Uquo Ibeno LGA and NEC through their elected councilor, Mr. Tom Eyo. They resorted to legal means and obtained an injunction (suit No. HEK/20/93) restraining NEC from re-naming the ward from Uquo Ibeno Ward 10 to Ibeno Ward 4.

According to reports by respondents interviewed in the field, Ibeno had three wards by 1993 and were keen on taking the Ine Ward (a strategy pursued by their representations to that effect to NEC). Ine Ward went to court over the matter arguing that Ibeno people see Eket and Esit Eket as one community. If, moreover, the Ine Ward Area had been Ibeno, an Esit Eket man would obviously not have emerged as a councilor representing the area. This is against the backdrop of, as Chief Umuoetek sees it, Ibeno's antipathy to a number of local communities seen as Eket: "if fighting breaks out between Ibeno and Esit Eket, the Ibeno man will attack Eket without bothering whether it is Esit Eket that hurt them or not".

The question then arises as to the significance of the Ine Development Area or Ward 10 as it was then called? According to Chief Umuoetek, the unique aspect of Ine Development area or Ward 10 is that it is a fishing settlement on the shores of the Atlantic Ocean stretching from somewhere close to Mkpanak (an Ibeno village) on the west, down to Okposo towards the East—a distance of about 12kilometres along the sea banks. At low tide, cars, motorcycles, and bicycles can drive pass along the shoreline. All that stretch of land, he says, falls under forest reserve and provides a home for itinerant fishermen build temporary huts and houses. There are no graves in Ine Development Area because it is a more permanent settlement: "whoever lives there", Chief Umuoetek says, "knows where he comes from. If a person dies there, the body is returned to the person's village for burial". In his opinion, the settlement consists of people from different parts of the federation and that "this is the life situation in that Ine Development Area".

The problem of Ine Development Area was further compounded by state level politics, particularly under the leadership of one Paul Umoh. It is alleged that his during Umoh's tenure of office between 1967and 1978, the Eket were treated unfairly as a result of Umoh recriminations against U. J. Usuene. All major projects started by Usuene are said to be been abandoned, especially those located in Eket (amongst them a secondary school and five star hotel). It is further alleged that Umoh created "imaginary" villages in the Ine development Area and were given Ibeno names with the active support of the military administration. It is claimed that 17 new but "non existent" villages were created and gazetted in the Traditional Rulers Edict of Cross River State,1978in the build

up to the conflicts. Prior to this time, Ibeno had only seven villages (viz: Upenekang, Iwoachang, Mkpanak, Atabrikang, Ntafre, Okoroutip and Iwopum), but Ibeno people claimed that they have about twenty seven villages. This attempt to create fictional communities for the purpose acquiring development funds was in the words of Chief Umuoetek “the crux of the conflict or controversy”. The South Eastern state Government set up a committee to look into the customs and usages of various peoples of the South Eastern State, to which the Ibeno clan is said to have submitted a memorandum concerning the seven Ibeno communities. The secretary of the Ibeno Clan Development Union (clan council or committee), one Barrister Samuel Egbo Egbo who later became a judge of the Abuja High Court, is reported to have prepared the memo in 1971 and stated specifically that Ibeno clan consisted of the seven villages aforementioned.

Atabrikang, one of the seven Ibeno villages listed in the memo to the 1971 committee, is still being contested by Onna people (a distinct people having their own separate LGA) and according to Chief Umuoetek “was part of the problem in 1993”. When the controversy began in 1993 over the delineation and ownership of the Ine Development Area (Ward) the then councillor representing the area, Mr. Tom Eyo, received an injunction in favour of the Esit Eket (and by implication the greater Eket ‘nation’). The Ibeno people were angered by the flagrant injustice and, according to the reports of those interviewed, and towards the end of 1992 went on rampage, attacking and burning down some fishing settlements around the Ine Development Area (or ward).<sup>17</sup> Commenting on the burning of the fishing settlements, Chief Umuoetek asks rhetorically: “if the area was truly for the Ibeno’s would they have burnt it?”. The burning of Okposo 1 on January 8<sup>th</sup> 1993 is seen as immediate cause of the crisis and a reflection of a growing frustration among the Ibeno in their efforts to manipulate the delineation of the Ine Development ward to their advantage. Scores of victims of this incident were left as refugees - most of whom were of Eket stock and who had been physically attacked, maimed and psychologically battered.

The January 1993 incident was quickly brought to the attention of the Akwa Ibom State Government and the State police command and other related security agencies in the state. The then chairmen of Eket local Government (Obong S. Atang) and his Uquo-Ibeno LGA counterpart provided separate security reports to Governor Obong Akpan Iseimen of Akwa Ibom state but no immediate action about the situation. As a consequence the problem lingered on and on culminating in the burning of Esit Urua village by the Ibenos affair on June 28, 1993.

Upon the burning of Okposo 1, the deputy Governor of the state, Chief Etim Okpojo, led a team of Government officials and security agents to the affected area on January 12, 1993. The deputy Governor promised that appropriate measures would be taken to ensure that life in the Ine Development Ward would quickly return to normal. He also promised to set up a judicial commission of inquiry to look into and proffer solution (s) to the problem. On the strength of the deputy governor’s assurances (none of which materialized) the political parties membership registration exercise was re-scheduled in

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<sup>17</sup> Specific mention is made of a village called Okposo 1.

the Ine Development Ward for the 29<sup>th</sup> – 31<sup>st</sup> January 1993. In fact the registration could not be held because of renewed hostility by the Ibenos which resulted in more extensive burning of houses among all Ine development ward communities in Uquo-Ibeno LGA. The destruction extended to houses built, owned and occupied by native farmers and fishermen of Eket LGA along the Q.I.T. Road. In the violence of late January 1993 many properties belonging to indigenes of Eket LGA were looted, burnt and destroyed. Lives were also lost<sup>18</sup>. Those who escaped the violence showed up at the Eket Local Government Headquarters with petitions and demands for compensation.

After the violence members of the State House of Assembly who visited the affected areas confirmed reports of looting, kidnapping, arson and killing. Esit Urua village in Eket is the nearest Eket village which shares a boundary with Upenekang (which the Ekets call Ubenekang), the headquarters of Ibeno LGA. This village was also reportedly burnt by the Ibenos on June 28, 1993. It is claimed by the Ekets that Chief Edet Ndarake, village head of Nkparak (Ibeno), had admitted - while addressing the peace committee on the Uquo Ibeno crisis on July 22, 1993 - that the Eket village Esit Urua village was attacked because of its proximity to the Ibeno community. Chief Edet Ndarake rejects these claims on the grounds that “we have a very cordial relationship with Eket people; they come here and we go there. We are not violent, but we can if we want to. We were not brought up like that”. Whatever the veracity of these claims and counter-claims, the whole of the Ine Development Ward which was the bone of contention between Eket and Esit Eket and Ibeno has not been delineated into Ibeno LGA by the Government. In the opinion of Eket leadership this is because “Ibeno people have some one at the presidency in Abuja who was able to use his influence”.

Overall the 1993 crisis was violent and disruptive for many communities and produced a rapid deterioration in Eket-Ibeno relations. If anyone strayed from Eket into Ibeno territory stated, Chief Umuoetek, he was killed. Around April 1993 Eket people retaliated and killed two people supported by from Ibeno. Mkpanak Ubenekang and Iwuachang which are upland communities of Ibeno and many of the lowland Ibeno people living in Eket have fled. Houses were also burnt, property looted and destroyed. There were also cases of considerable displacement; Eket informants say that more than nine-six (96) families were displaced from Esit Urua until late 1994 and that to date the relics of the siege can still be seen in Esit Urua. There were also reported cases of arbitrary arrests and torture. Chief Umuoetek claims that “the police that came as an army of occupation”. The police according to Eket respondents played a role in that they “covered up” what they ordinarily should have resolved or waded into before the situation got out of hand. For instance, Eket people allege that on June 28<sup>th</sup> 1993, Ibeno people went to the Apostolic Secondary school, Esit Urua (Eket) at about 12 noon and drove the students home and chanted war songs. The matter was said to have been reported to the police (the Akwa Ibom state Police Commissioner) personally by one

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<sup>18</sup> Two persons (Friday Akpan Imo and Inam Akpan Otosin, both of them natives of Atabong village in Eket LGA.) who went to fetch palm fronds for making mats noting at the Oko-Iyak forest reserve were reportedly murdered in cold blood by the Ibenos. Their corpses are said to have been later discovered at a fishing settlement called Itak-Ibang on February 19, 1993.

Obong S. Atang, the then chairman of Eket LGA, yet the police did nothing to stop the Ibeno people. It was same day, at about 7.30pm that Esit Urua, against all assurances was allegedly invaded by Ibeno people and the police did nothing to prevent the conflagration until the next day. Ibeno refugees were mostly fishermen in the coastal communities of Okposo, Mtakang Itaklin-Akpe, and Inuofa. In all, Ibeno claims that there were about twelve villages destroyed by the Ekets primarily in Wards 9 and 10 of the Ibeno LGA.

As a result of the negative effects the crisis had on Mobil, the Federal Government then led by General Babangida set up a Judicial Commission of Inquiry headed by the late Justice Ephraim Akpata. The Commission began public sitting on August 31, 1993, and sat seven days a week until November 30, 1993. The findings of the commission submitted to the Federal Government of Nigeria purportedly confirmed that the immediate and remote causes of the conflict between Eket and Ibeno was land ownership. The Commission's findings confirmed the judgments of the earlier Privy Council and ruled that that the land in question belongs to the Eket people. The report (which has not been released as a White Paper to date) is said to have been submitted by General Abacha who was then Head of State (Babangida, having left office by the time the Commission completed its work).

Not surprisingly, Ibeno contests the Commission's findings. For instance, they accuse the Commission's head, the late Justice Ephraim Akpata of being corrupt. An Ibeno community leader was more categorical when he said: "Akpata, as the head of the commission was corrupt: The commission did some nasty and partial work which made the federal government to knock off their report and gave Ibeno a Local Government". However, the Ibeno community also recognizes that the report of the Commission made it possible to have a local government which was created in 1996 after the 1994-5 constitutional conference and in the wake of the 1993 crisis. There is some difference of opinion whether the crisis actually precipitated the establishment of the new LGA. In the words of an Ibeno youth: "our Local Government Area was fought for; in fact, it was after the 1993 crisis that we got the Local Government Area; representatives at the council only enrich themselves". However, according to a chief of one Ibeno village who spoke on condition of anonymity: "we asked for the Local Government Area and we got it, a committee was set up by the government for to the committee, defended it and got it; the crisis did not give us a Local Government Area".

Eket people conversely say they were (and are) not opposed to the creation of a new local Government for Ibeno people. Their only grouse, they insist, is that a new LGA should not be created for the Ibeno on Eket territory. According to local Eket opinion, three fourths of the land which the Ibeno Local Government Area is presently sited on Eket land (they argue, for example, that the Ibeno Local Government Secretariat is actually built on what was formerly the Eastern Nigeria Development Corporation (ENDC) oil palm plantation established on Eket land for which royalties were paid to thirteen Eket communities.<sup>19</sup> In this sense the view of an Ibeno community leader - that

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<sup>19</sup> The ENDC, it is said, came to establish the oil palm plantation on the invitation of an Eket indigene, one Dr. A. S. Okomo, who conducted ENDC officials around and provided them land on which the oil palm plantation was built.

“Government worked to ensure we had a local government because they knew if we had one, there would be peace. There’s relative peace now since the creation of the local government; without it, there won’t have been any peace” – perhaps covers over some of the lingering concerns over land rights within the LGA from the Eket point of view.

During the crisis, Akwa Ibom state was, according to the Eket people, predominantly an NRC (National Republican Convention) party controlled state, whereas Eket and Onna LGAs were the only 2 LGAs in the entire state that had SDP (Social Democratic Party) presence<sup>20</sup>. Eket at this time is said to have offered the foremost support and rallying point for the SDP in Akwa Ibom state. The various LGAs nationwide were at this time also reportedly autonomous and free of any control by the state Governments and could manage their affairs independently. Thus, the then Chairman of Eket LGA, Obong S. Atang, a staunch SDP supporter was very outspoken and critical of the state and very unwilling to compromise with the then state Governor on matters that touched on the independence and autonomy of the LGA. He was therefore seen as confrontational to the state Government. This obviously did not go down well with the state Government elites who were bent on, in the words of chief Umuoetek, “doing anything to bring him (i.e, Obong S. Atang) and the Eket people under control and on their knees”. It is in fact stated that Obong S. Atang was then variously referred to as the “Governor of Eket”. This kind of situation, according to Chief Umuoetek was “the kind of support which Ibeno (an NRC dominated LGA) had, but Eket (an SDP dominated LGA) lacked”. The then State Governor is reported to have been so displeased with Eket people that when U. J. Usuene died he did nothing to show concern until the then Governor of Cross River State came to Eket and paid the people and bereaved family a condolence visit and indeed subsequently named a Stadium in Calabar after Usuene (i.e. the U. J. Usuene stadium). Conversely, not even a street in Uyo, the Capital of Akwa Ibom State is named after Usuene, who contributed so much to what is now Akwa Ibom State. Only belatedly and grudgingly did the Akwa Ibom State Government recognize Usuene.<sup>21</sup>

In keeping with some many oil conflicts the role of the state security forces and the police in particular was particularly lacking. In the 1993 crisis they apparently failed in several respects to control the situation. For example, the Eket claim that on June 28, 1993, Ibeno people went to the Apostolic secondary School Esit Urua at about 12 noon, drove the students home and chanted songs. Police deployed to the area did not do anything to stop these events though the matter was promptly reported by Obong S. Atang, then chairman of Eket LGA, to the then Akwa Ibom State Commissioner of Police. At about 7:30 pm on the said date, against all assurances by the police, Esit Urua village was invaded by Ibeno people and the police did nothing to intervene. Eket LGA chairman, Obong S. Atang is said to have written a letter on 30 June, 1993 to the state Governor on the issue. The Ekets claim that the destruction of Esit Urua would have

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<sup>20</sup> These were the only 2 political parties in 1992/93, leading to the June 12, 1993 Presidential elections.

<sup>21</sup> To further underscore the Governor’s perceived hatred for the Eket people, an Eket youth leader says: “imagine what he did to a former Governor of the then South Eastern State. It was only after the Governor of Cross River State had come and almost stole the show that our own Governor reacted”.

been avoided if the situation report provided to the Commissioner of Police had been acted upon timely. They accuse the policemen deployed in the area of being partisan and by so doing compromised their mission of maintaining peace and order.

## CONCLUSION

For now the conflict in Eket-Ibena is over and normality reigns. It might be argued that this peace is in part a product of granting to the Ibena their own LGA in 1996. Nevertheless it is also clear that there are lingering resentments – the Eket sense that Ibena LGA land claims are questionable for example – that may reopen older animosities particularly if the implementation of the new MOU with Mobil (signed in 2001 and which to date has, according to local opinion, produced very little) is seen to be the preserve of one community over another. Nevertheless, the significance of this case resides in the ways in which oil and politics mix to produce struggles not between differing ethnic or minority groups as such but within a people who have substantial cultural and other similarities. The Eket-Ibena question turns on the existence of differences certainly, but within a cultural group over settlement, occupation and the legitimacy of land claims. These differing histories (and accounts of their own history) were compromised and destabilized by oil activities – that is to say through oil contracts by the service companies, by MOUs with Mobil, and by other oil-related benefits – which pitted communities within the core Eket area against one another. The crisis of 1993 was triggered, one might say, by the fact that twenty years of oil development was experienced unevenly within what are now the four core Eket LGAs.

The fact that Ibena was granted its own LGA in 1996 had the effect of providing an institutional mechanism by which these tensions could be reduced – offering to the Ibena sources of statutory income rather than having to do battle with other Eket communities over contracts or employment. In the midst of this development however there were a number of recurrent issues which compounded these intra-community dynamics. First, the sense that the police and security forces were impartial and ineffective. Second, the sense that Mobil's policies operated (by design or by default) as a form of divide and rule that further deepened latent conflicts. Third, state level government and party politics shaped local events in ways that compounded Eket-Ibena relations. Fourth, that there were few community level institutions capable of responding to the growing tensions around oil that emerged in the 1990s (and this remains the case today). And finally, that the prospect of lessons being learned from this case through a government commission or investigation were effectively quashed by the fact that the White Paper – and/or the commission findings – have not been made public (something replicated in a number of our case studies).

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